

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HOWARD L. LANGFORD,

Plaintiff,

vs.

FATHER FLANAGAN'S BOYS' HOME,

Defendant.

8:23CV12

SECOND AMENDED  
CASE PROGRESSION ORDER

This matter comes before the Court after a telephone conference on the Plaintiff's Motion to Continue Progression Order ([Filing No. 29](#)). After review of the motion, and in accordance with the matters discussed during the conference, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Plaintiff's Motion to Continue Progression Order ([Filing No. 29](#)) is granted, and the amended case progression order is amended as follows:

- 1) The deadline for the plaintiff to respond to all outstanding written discovery is **December 7, 2023**. The defendant is given leave to file a motion to compel should the plaintiff fail to timely respond.
- 2) The deadlines for identifying expert witnesses and completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff:	<b>February 1, 2024</b>
For the defendant:	<b>March 1, 2024</b>
Plaintiff's rebuttal:	<b>March 15, 2024</b>

- 3) The planning conference scheduled for February 7, 2024, is cancelled. The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **March 27, 2024**, at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, remains **April 1, 2024**. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is **ten (10)**.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **May 1, 2024**.

- 6) The deadline for filing motions to dismiss and motions for summary judgment is **May 15, 2024**.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 7<sup>th</sup> day of November, 2023.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge